

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

BM INVESTMENTS, L.L.C.,
et al.,

Plaintiffs,

CIVIL ACTION NO. 06-CV-14991

vs.

DISTRICT JUDGE PAUL V. GADOLA

HAMILTON FAMILY, L.P.,
et al.,

Defendants.

MAGISTRATE JUDGE MONA K. MAJZOUB

/

ORDER ACCEPTING REPORT AND RECOMMENDATION

Before this Court is Magistrate Judge Mona K. Majzoub's May 21, 2008 Report and Recommendation, recommending that Counsel McQueeny should be sanctioned and that Plaintiffs should be awarded expenses, costs, and reasonable attorney fees in the amount of \$5000.00 The Magistrate Judge also notified the parties that any objections must be filed within ten days of service. No party has filed objections to the report and recommendations.

The Court's standard of review for a magistrate judge's report and recommendation depends upon whether a party files objections. If a party does not object to the report and recommendation, the Court does not need to conduct a review by any standard. *See Lardie v. Birkett*, 221 F. Supp. 2d 806, 807 (E.D. Mich. 2002) (Gadola, J.). As the Supreme Court observed, “[i]t does not appear that Congress intended to require district court review of a magistrate's factual or legal conclusions, under a de novo or any other standard, when neither party objects to those findings.” *Thomas v.*

Arn, 474 U.S. 140, 150 (1985). Because neither party filed timely objections to Magistrate Judge Majzoub's May 21, 2008 Report and Recommendation, *see* 28 U.S.C. § 636(B)(1)(c), this Court need not conduct a review.

ACCORDINGLY, IT IS HEREBY ORDERED that the Report and Recommendation [docket entry #52] is **ACCEPTED** and **ADOPTED** as the opinion of this Court.

IT IS FURTHER ORDERED that Plaintiffs are awarded expenses, costs, and reasonable attorney fees in the amount of \$5,000.00, payable in monthly installments of \$100.00 due and payable on the first day of each month beginning on July 1, 2008.

SO ORDERED.

Dated: June 20, 2008

s/Paul V. Gadola

HONORABLE PAUL V. GADOLA
UNITED STATES DISTRICT JUDGE

Certificate of Service

I hereby certify that on June 20, 2008, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

Patrick J. McQueeney; Mark C. Rossman, and I hereby certify that I have mailed by United States Postal Service the paper to the following non-ECF participants: _____.

s/Ruth A. Brissaud

Ruth A. Brissaud, Case Manager
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